FARAD CONTINUATION SHEET NO:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.1785 OF 2006
IN
WRIT PETITION NO.5047 OF 1990

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Ms.Purnima Gogate i/b Dhru & Co. for the applicant.
Mr.V.T.Walavalkar i/b Mr.M.D.Badkar for the respondent.

CORAM: D.B.BHOSALE, J.
DATED: 19TH JANUARY, 2007

P.C.:

. Heard learned counsel for the parties.

2. By consent of learned counsel for the parties the civil application is allowed in terms of prayer clause (a) to (d). Prayer clause (a) to (d) reads thus:

> "(a) The delay if any in taking out the present civil application be condoned.
>
> (b) This Hon'ble Court be pleased to discharge the Court Receiver without passing of accounts and direct the Court Receiver to hand over possession of the suit premises being Unit No.16 on the ground floor of Kembros Industrial Estate situate at Sonapur Road, Off.L.B.S.Marg, Bhandup, Mumbai 400 078 to the Petitioner.
>
> (c) That the Respondents be directed to bear the costs, charges and expenses of the Court Receiver.

(d) The Respondents be directed to remove all the articles and material from the suit premises within 3 days of the passing of the Order failing which the Petitioner be permitted to dispose of the same without being responsible in any manner to the Respondents."

3. However, this order shall operate only after six weeks since the respondents expressed the desire to make one more effort to settle the matter with the applicant and to enable him to do so the aforesaid six weeks time is granted. It is open for the applicant to take possession as per prayer clause (b) in respect of suit premises through their power of attorney. With these observations civil application is disposed of.

(D.B.Bhosale, J.)